

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND

Mabel Brown and
Evelyn Twigg,
Petitioners

:

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vs.

:

No. 29,390 EQUITY

Martha Grace Skelley,
Respondent

:

Filed December 2-1970

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Auditor respectfully submits herewith his FIRST AND FINAL REPORT in the above entitled cause.

This cause is by petition of friends of Martha Grace Skelley filed September 19, 1969, and the proceeding show that she was duly found to be incompetent, and that Mabel Brown and Evelyn Twigg were on October 8, 1969, duly appointed Committee of the person and estate of the said Martha Grace Skelley. The said Martha Grace Skelley subsequently died on January 29, 1970.

The First and only Report of the Committee was filed on November 24, 1970, and the matter then submitted to this Auditor.

The Report shows the Income received by the Committee, and details disbursements made by the said Committee. All of the said disbursements seem to be in order, and for expenditures required for the care, comfort and convenience of the incompetent. It should be noted that from Committee funds the burial expenses of a sister of the incompetent were paid, and under the circumstances your Auditor considers this a proper disbursement, as the funds of the deceased sister were intermingled with funds of the incompetent prior to the appointment of the Committee.

The total Gross Estate is shown as \$18,034.62, with the disbursements, as adjusted by your Auditor, being \$3,260.20, leaving a net estate prior to expenses and charges as a result of this Audit in the amount of \$14,174.42. Disbursements by reason of this Audit amount to \$266.00, leaving a balance of \$13,908.42 in the hands of the Committee. This amount is distributed to Ina M. Dennison who has been qualified in the Orphans' Court for Allegany County, Maryland, as the Personal Representative of Martha Grace Skelley, the incompetent, and now deceased.

Your Auditor hereby certifies that he has complied with Rule 595 (2) of The Maryland Rules of Procedure relative to giving notice of the filing of this Audit in and with this Court.

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Respectfully submitted,

Matthew J. McFlaney
Matthew J. McFlaney-Auditor

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND.

Mabel Brown and Evelyn Twigg : LIBER 124 PAGE 03
 Petitioners
 vs. : No. 29,380 EQUITY
 Martha Grace Skelley,
 Respondent :

IN THE MATTER OF the appointment by Decree passed October 9, 1969, of Mabel Brown and Evelyn Twigg as Committee of the person and estate of Martha Grace Skelley, an incompetent, subsequent proceedings and accounting by the Committee.

MABEL BROWN and EVELYN TWIGG, COMMITTEE, in account with the Estate of Martha Grace Skelley, relative to and concerning receipts and disbursements made by the said Committee.

RECEIPTS:

CASH ON HAND AT TIME OF APPOINTMENT:

Liberty Trust Company-Deposit \$ 12,751.06
 First National Bank and Trust
 Company of Western Maryland-Deposit 4,175.55

TOTAL CASH SHOWN BY THE REPORT AS BEING ON HAND AT TIME OF APPOINTMENT \$ 16,926.61

INCOME, PER REPORT OF COMMITTEE:

Social Security Payments \$ 188.00
 Prudential Insurance Company 626.98
 Retirement Insurance Plan 120.00
 County Commissioners for Allegany County 23.03
 Balance transferred from checking account 150.00

TOTAL INCOME RECEIVED BY COMMITTEE \$ 1,108.01

TOTAL GROSS ESTATE TO BE ACCOUNTED FOR BY THE COMMITTEE \$ 18,034.62

DISBURSEMENTS:

As shown on Report of Committee \$ 3,960.20
 Less: Adjustment by Auditor in the allowance to Louis A. Patkin 100.00

TOTAL ADJUSTED DISBURSEMENTS ----- \$ 3,860.20

NET ESTATE TO BE ACCOUNTED FOR BY COMMITTEE PRIOR TO ALLOWANCES BY REASON OF THIS AUDIT (CARRIED FORWARD) \$14,174.42

BROUGHT FORWARD:

NET CASH TO BE ACCOUNTED FOR BY COMMITTEE PRIOR TO ALLOWANCES BY REASON OF THIS AUDIT \$ 14,174.42

ADDITIONAL DISBURSEMENTS BY THE COMMITTEE BY REASON OF THIS AUDIT:

| | | | |
|------------------------------|----------------------------------|----------|-------------------|
| L. Fred Dean, Clerk of Court | Additional Costs | \$ 10.00 | LIBER 124 PAGE 04 |
| Donna Rita Leasure | Examiner | 10.00 | |
| Louis A. Patkin, Attorney | Solicitor's Fee | 10.00 | |
| Louis A. Patkin, Attorney | Fee, per Order of Court 11/24/70 | 200.00 | |
| Matthew J. Mullaney, Auditor | | 36.00 | \$ 266.00 |

NET ESTATE IN HANDS OF COMMITTEE PRIOR TO DISTRIBUTION \$ 13,908.42

DISTRIBUTION

- To: Ina M. Dennison, Personal Representative of the Estate of Martha Grace Skelley, as appointed and qualified by and in the Orphans' Court for Allegany County, Maryland.

\$13,908.42
\$13,908.42 \$ 13,908.42

Matthew J. Mullaney
 Matthew J. Mullaney-Auditor

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State of Maryland, Allegany County, to-wit: *Filed December 28, 1970*

I Herby Certify, That Rule 637 upon the Equity side of the Circuit Court for Allegany County, requiring the Clerk of said Court, as soon as the report of the Auditor has been filed, to fix up at some conspicuous place in his office, the titling of the case as it stands upon the docket of said Court the number of the case, and the time when such Audit shall be ready for ratification was complied with in relation to the within Audit, and further certify that no objections have been filed to the ratification thereof to *December 28, 1970*, and that the costs have ~~not~~ been paid.

Paul C. Haberman Clerk.

Ordered this *28* day of *December*, 1970, by the Circuit Court for Allegany County, sitting in Equity, that the within and foregoing audit be and the same is hereby ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the rule of Court, and the *sums* are hereby directed to pay out the funds accordingly.

Paul C. Haberman

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND.

IN THE MATTER OF : LIBER 124 PAGE 06
ANNA D. STALLINGS, A :
PERSON ALLEGED TO BE : NO. *27540* EQUITY
UNDER DISABILITY : *Filed January 6, 1965*

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Virginia M. Rathbone, by Carscaden, Gilchrist and Getty, her solicitors, respectfully represents:

FIRST: That Anna D. Stallings, widow, is a white female, 82 years of age, and resides at 417 Arch Street, Cumberland, Maryland, but is presently a patient at Sacred Heart Hospital, Cumberland, Maryland.

SECOND: That your Petitioner bears no blood relationship to the said Anna D. Stallings, but that she has, for many years, been a good friend of the said Anna D. Stallings, and wishes to see that she receives adequate care and treatment.

THIRD: That the said Anna D. Stallings resides with her sister, Margaret P. Shuck at the address aforesaid.

FOURTH: That the only relatives of the said Anna D. Stallings, to your Petitioner's best knowledge and belief, are Myra V. Kieffer and Mary M. Kieffer, distant cousins, both of whom reside at 11 Valley Street, Cumberland, Maryland.

FIFTH: That the said Anna D. Stallings suffers from old age and a general physical and mental deterioration, which condition has resulted in her being incompetent to care for her person and/or her property; and that your

Petitioner seeks an adjudication of incompetency in order that the said Anna D. Stallings may receive proper care and treatment from some responsible person or persons.

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SIXTH: That the said Anna D. Stallings has assets of an approximate value of Ten Thousand Dollars (\$10,000.00), and that said assets consist mostly of cash and real property; that to the best knowledge and belief of your Petitioner, the said Anna D. Stallings has no other assets, but it is possible that other assets may be discovered during the course of these proceedings.

SEVENTH: That the said Anna D. Stallings is, by reason of her mental incapacity, unable to care for her person or to manage her property and her affairs, and that it is necessary, therefore, for the benefit of the said Anna D. Stallings and for the preservation of her estate, that some competent person or persons be appointed by this Honorable Court to act as her Committee to care for her person, property and estate.

EIGHTH: That your Petitioner files herewith certificates and affidavits of two practicing medical doctors who have attended the said Anna D. Stallings within two days before the filing of this Petition, both of whom depose and make oath as to her mental incapacity.

Therefore, your Petitioner prays:

1. That this honorable Court will appoint some suitable person or persons as Committee to take charge of the person and estate of Anna D. Stallings and to that end will pass an Order directing the alleged incompetent to be summoned within ten days, requiring within the same time, that a copy of the summons, petition; and order of court, be left with her, or with Sister

Mary Richard, Administrator of Sacred Heart Hospital, Cumberland, Maryland, where she is a patient, setting this matter down for a hearing on or after fifteen (15) days from the date of the Order of Court and allowing the alleged incompetent to appear at any time before or after the passage of any decree or order herein.

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2. And for such other and further relief as in the nature of her cause may require.

And as in duty bound,

Virginia M. Rathbone
VIRGINIA M. RATHBONE

Carscaden, Gilchrist and Getty,

By *J. Frederick Sharer*
J. FREDERICK SHARER,
Solicitors for Petitioner

STATE OF MARYLAND,

ALLEGANY COUNTY, TO WIT:

On this 8th day of January, 1965, before me, the subscriber, a Notary Public, of the State of Maryland, in and for Allegany County, personally appeared Virginia M. Rathbone, and made oath in due form of law that the matters, facts and things set forth in the foregoing Petition are true and correct as therein stated to the best of her information, knowledge and belief.

WITNESS my hand and Notarial Seal.

Jayne L. Capel
Notary Public

Cumberland, Maryland.

I, LEWIS BRINGS, do hereby certify that I am a duly qualified medical doctor and have been practicing my profession in Allegany County, Maryland, for more than five years prior hereto and have attended ANNA D. STALLINGS, as recently as the 7 day of January, 1965, and that she is wholly mentally incompetent to look after and manage her person and estate, and that the cause of her mental incompetency is senile dementia due to arteriosclerosis and that the extent and probable duration thereof is lifetime.

Lewis Brings
LEWIS BRINGS, M. D.

STATE OF MARYLAND,
ALLEGANY COUNTY, TO-WIT:

I HEREBY CERTIFY, that on this 7th day of January, 1965, before me, the subscriber, a Notary Public of the State of Maryland, in and for Allegany County, personally appeared LEWIS BRINGS, M. D., and made oath in due form of law that the matters and facts contained in the foregoing Certificate are true and correct to the best of his knowledge and belief.

WITNESS my hand and Notarial Seal the date aforesaid.

Jayce L. Appel
Notary Public.

Cumberland, Maryland.

I, R. Rhett Rathbone, do hereby certify that I am a duly qualified medical doctor and have been practicing my profession in Allegany County, Maryland, for more than five years prior hereto and have attended Anna D. Stallings as recently as the 7th day of January, 1965, and that she is wholly mentally incompetent to look after and manage her person and estate, and that the cause of her mental incompetency is senile dementia due to arteriosclerosis and that the extent and probable duration thereof is for life.

R. Rhett Rathbone M. D.

STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:

I HEREBY CERTIFY that on this 7th day of January, 1965, before the undersigned, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared R. Rhett Rathbone, M. D. and acknowledged the foregoing Certificate to be true and correct to the best of his knowledge and belief.

WITNESS my hand and Notarial Seal.

Jayce L. Appel
Notary Public.

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND.

IN THE MATTER OF :
 ANNA D. STALLINGS, A :
 PERSON ALLEGED TO BE : NO. 27540 EQUITY
 UNDER DISABILITY : Filed January 8, 1965

ORDER OF COURT

Upon the foregoing Petition, Affidavit and two medical certificates and affidavits of attending medical doctors which is filed therewith, it is thereupon this 8th day of January, 1965, by the Circuit Court for Allegany County, Maryland, in Equity, ordered that the Clerk of this Court shall issue a summons directed to Anna D. Stallings, residing at Sacred Heart Hospital, Cumberland, Maryland, which shall be served on or before the 11th day of January, 1965, commanding her to appear in this Court and answer this Petition on the day and time hereinafter designated for the hearing, and within the same time cause a copy of said summons and of this Petition and Order of Court to be left with Sister Mary Richard, Administrator of Sacred Heart Hospital, where the incompetent is residing at the present time.

It is further ordered that a hearing on this Petition shall be held before this Court on the 29th day of January, 1965, at 11:30 o'clock 10 .M., and that the said Anna D. Stallings shall be allowed to appear and answer at any time before or after the passage of any Decree herein, and this Court hereby reserves full power to revoke, alter or modify any Decree herein at any time after appearance and answer, for good cause shown.

Harold E. Naughton

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND.

IN THE MATTER OF :
 ANNA D. STALLINGS :
 ALLEGED INCOMPETENT : NO. 27540 EQUITY
 EX PARTE. : Filed February 1, 1965

DECREE

This cause standing ready for a Decree, it appearing that Anna D. Stallings has been duly summoned in accordance with an Order passed herein on the 8th day of January, 1965, testimony having been taken in open Court, and the Court having before it the certificates of two qualified medical doctors of Allegany County, Maryland, certifying to the permanent mental incapacity of the said Anna D. Stallings, the said Anna D. Stallings not being present although duly summoned in accordance with the provisions of the law, and the Court being of the opinion that the relief prayed for herein should be granted;

It is thereupon this 1st day of February, 1965, by the Circuit Court for Allegany County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED that Anna D. Stallings is, by reason of mental disability of probable permanent duration, incompetent to manage her affairs and to take charge of her property and estate.

It is FURTHER ADJUDGED, ORDERED and DECREED that Virginia M. Rathbone, be and she is hereby appointed Committee of the estate of the said Anna D. Stallings with full power and authority to take charge of and to manage all of the Incompetent's property and estate, both real and personal, and that before entering upon her duties as Committee she shall file a bond herein in the amount of Five thousand Dollars with corporate surety to be approved by the Clerk of this Court conditioned

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for the faithful performance of the duties imposed upon her.

It is FURTHER ORDERED that the said Anna D. Stallings shall be allowed to appear and answer at any time before or after the passage of this Decree, and this Court reserves the right and power to revoke, alter or modify this Decree at any time after appearance and answer for good cause shown.

Howell E. Naughton
ASSOCIATE JUDGE

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IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

PETITION OF COMMITTEE :
IN THE MATTER OF :
ANNA D. STALLINGS, A : No. 27540 EQUITY
PERSON ALLEGED TO BE : *Filed August 26, 1965*
UNDER DISABILITY :
EX PARTE :

PETITION OF COMMITTEE TO SELL
INTEREST IN REAL PROPERTY

The Petition of Virginia M. Rathbone, Committee of the property and estate of Anna D. Stallings, an incompetent, through J. Frederick Sharer, her attorney, respectfully represents:

FIRST: That among the assets of the said Anna D. Stallings is a one-half interest as joint tenant in certain real estate which is described as follows:

ALL that lot, piece or parcel of ground located on the Westerly side of Arch Street in the City of Cumberland, Allegany County, Maryland, and known as Lot No. 122 in the South Side Addition to the City of Cumberland, as shown on a plat of said Addition which is recorded in Deeds Liber 70, folio 497, among the Land Records of Allegany County, which said lot is more particularly described as follows:

BEGINNING for the same at the end of the first line of Lot No. 121 of said Addition thence running with the Westerly side of Arch Street South 18 degrees 34 minutes West 40 feet; thence leaving Arch Street North 71 degrees 26 minutes West 100 feet to Flora Alley; thence with said Alley North 18 degrees 34 minutes East 40 feet to the end of the second line of Lot No. 121; thence South 71 degrees 26 minutes East 100 feet to Arch Street and the place of beginning.

IT BEING the same property which was conveyed by A. Marteen Manges, Trustee, to Anna Daisy Stallings and Margaret Pearl Shuck, as joint tenants, by deed dated July 2, 1957, and recorded in Deeds Liber 290, folio 361, among the Land Records of Allegany County.

The above described real estate is improved by a two-story 6-room frame dwelling which is in a poor state of repair.

SECOND: That your Petitioner has had this property appraised by a competent professional realtor, a copy of which said appraisal is attached hereto and made a part hereof.

THIRD: That your Petitioner, through a licensed realtor, has arranged for the sale of said property for the sum of Three Thousand Eight Hundred Dollars (\$3,800.00), and believes that it would be in the best interest of the said Anna D. Stallings that this property be sold for said amount and that one-half of the net proceeds of said sale be deposited to the account of your Petitioner as Committee for the said Anna D. Stallings.

FOURTH: That also among the assets of the said Anna D. Stallings are certain personal items, including household furnishings and a collection of doll babies, which said personal property is located in the home of the said Anna D. Stallings hereinabove described; that your Petitioner believes it would be in the best interest of the said Anna D. Stallings that said personal property be sold at public auction for the highest price bid therefor.

WHEREFORE, your Petitioner prays:

1. That this Honorable Court pass an order authorizing and directing your Petitioner to sell said property at private sale; and
2. That this Honorable Court pass an order authorizing and directing your Petitioner to sell at public auction the personal

property of the said Anna D. Stallings at the highest price bid therefor.

3. For such other and further relief as the nature of her cause may require.

And as in duty bound, etc.

Virginia M. Rathbone
VIRGINIA M. RATHBONE, Committee
for Anna D. Stallings

J. Frederick Sharer
J. FREDERICK SHARER, Solicitor

STATE OF MARYLAND, ALLEGANY COUNTY, TO-WIT:

THIS IS TO CERTIFY that on this 26th day of August, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Virginia M. Rathbone, and made oath in due form of law that the matters and things in the foregoing Petition are true to the best of her information, knowledge and belief.

WITNESS my hand and Notarial Seal on the date last written.

Eleanor L. Lloyd
Notary Public

My Commission Expires 7/1/67

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

IN THE MATTER OF :
 ANNA D. STALLINGS, A :
 PERSON ALLEGED TO BE : No. 27540 EQUITY
 UNDER DISABILITY : *Filed August 26, 1965*

STATEMENT OF APPRAISER

I, David P. Goodfellow, a duly licensed realtor and competent appraiser, do hereby certify that I have appraised the real property owned by Anna D. Stallings and Margaret P. Shuck, as joint tenants, situated on the Westerly side of Arch Street in Cumberland, Allegany County, Maryland, known as Lot No. 122 of the South Side Addition, said lot fronting 40 feet on Arch Street and extending back 100 feet to an alley, improved by a two-story frame dwelling, at and for the total current market value of Three Thousand Seven Hundred and Fifty Dollars (\$3,750.00), the said 1/2 interest of Anna D. Stallings being One Thousand Eight Hundred and Seventy-Five Dollars (\$1,875.00); and I do state and believe that it is in the best interest and welfare of the said Anna D. Stallings that the proposed sale of said property at and for the sum of Three Thousand Eight Hundred Dollars (\$3,800.00) be accepted.

WITNESS my hand and seal on the *26th* day of August, 1965.

WITNESS:

*J. Redwine Shaver**David P. Goodfellow* (SEAL)
Appraiser

STATE OF MARYLAND, ALLEGANY COUNTY, TO-WIT:

I HEREBY CERTIFY, That on this *26th* day of August, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared David P. Goodfellow, being duly sworn, did declare that the matters and facts set forth in the foregoing Statement of Appraiser are true and correct to the best of his information, knowledge and belief; and further, he did acknowledge the foregoing Statement of Appraiser to be his act and deed.

WITNESS my hand and Notarial Seal on the date last written.

Eleanor J. Lloyd
Notary Public

My Commission Expires 7/1/67

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

DECREE :
 IN THE MATTER OF :
 ANNA D. STALLINGS, A :
 PERSON ALLEGED TO BE : No. 27540 EQUITY
 UNDER DISABILITY : *Filed August 26, 1965*
 EX PARTE :

D E C R E E

The foregoing Petition, affidavit and verified Statement of Appraiser having been read and considered, and testimony having been taken in open Court and considered, and the Court being of the opinion that sale of the property is in the best interest and welfare of Anna D. Stallings, an incompetent, it is, by the Circuit Court for Allegany County, Maryland, in Equity, ADJUDGED, ORDERED AND DECREED, this *26th* day of *Aug.*, 1965, that Virginia M. Rathbone, Committee for the property and estate of Anna D. Stallings, an incompetent, is hereby authorized and directed to sell, at private sale, the one-half interest of said incompetent for not less than \$1900.00, the total current market value thereof according to the appraisal filed in this cause, the real property described in the Petition of Committee to Sell Interest in Real Property filed herein; said sale to be reported to this Court within a reasonable time, subject to ratification by said Court, and upon final ratification of said sale by said Court and receipt in full of the payment for said incompetent's interest, the same being an undivided one-half interest, said Committee is authorized to convey, by good and sufficient deed, said interest of said Anna D. Stallings in and to said property, it being understood that said Committee shall hold said funds received in payment therefor subject to the Orders of this Court.

IT IS FURTHER ADJUDGED, ORDERED AND DECREED that Virginia M. Rathbone, Committee, is hereby authorized and directed to sell at public auction the personal property and belongings of the said Anna D. Stallings at the highest price bid therefor.

Harold E. Naughton
 Associate Judge

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

IN THE MATTER OF :
 ANNA D. STALLINGS, A :
 PERSON ALLEGED TO BE : No. 27540 EQUITY
 UNDER A DISABILITY : *Filed September 14, 1965*

REPORT OF SALE

The Report of Sale of Virginia M. Rathbone, Committee for the property and estate of Anna D. Stallings, by J. Frederick Sharer, her attorney, respectfully represents:

FIRST: That pursuant to a petition of the duly appointed said Committee to sell the interest of Anna D. Stallings, same being a joint tenancy in certain real property on Arch Street, in Cumberland, which with petition, the verified statement of an appraiser was filed herein and testimony of the appraiser and the Committee being taken in open Court concerning the current market value of said property, and of Anna D. Stallings' interest therein, and as provided by Decree passed August _____, 1965, said Committee was authorized to sell, at private sale, at not less than the appraised current market value thereof.

SECOND: That, upon compliance with all of the requirements of law, said Committee did, on this 14th day of September, 1965, sell, at private sale, the interest of the said Anna D. Stallings at and for the sum of \$1900.00 which was more than the current appraised value of the following described property:

ALL that lot, piece or parcel of ground located on the Westerly side of Arch Street in the City of Cumberland, Allegany County, Maryland, and known as Lot No. 122 in the South Side Addition to the City of Cumberland, as shown on a plat of said Addition which is recorded in Deeds Liber 70, folio 497, among

the Land Records of Allegany County, which said lot is more particularly described as follows:

BEGINNING for the same at the end of the first line of Lot No. 121 of said Addition thence running with the Westerly side of Arch Street South 18 degrees 34 minutes West 40 feet; thence leaving Arch Street North 71 degrees 26 minutes West 100 feet to Flora Alley; thence with said Alley North 18 degrees 34 minutes East 40 feet to the end of the second line of Lot No. 121; thence South 71 degrees 26 minutes East 100 feet to Arch Street and the place of beginning.

IT BEING the same property which was conveyed by A. Marteen Manges, Trustee, to Anna Daisy Stallings and Margaret Pearl Shuck, as joint tenants, by deed dated July 2, 1957, and recorded in Deeds Liber 290, folio 361, among the Land Records of Allegany County.

The above described real estate is improved by a two-story 6-room frame dwelling which is in a poor state of repair.

THIRD: That the said Walter E. Kline, purchaser at private sale as aforesaid, stands ready to pay said purchase price of \$1900.00 for said Anna D. Stallings' one-half interest, upon ratification of this Report of Sale by this Court and upon tender to him thereafter of a good and sufficient deed for said property.

J. Frederick Sharer
 Attorney for Committee

Virginia M. Rathbone
 Virginia M. Rathbone, Committee
 for the property and estate of
 Anna D. Stallings, incompetent

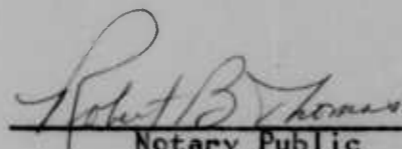
STATE OF MARYLAND, ALLEGANY COUNTY, TO-WIT:

I HEREBY CERTIFY, That on this 14th day of September, 1965, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Virginia M. Rathbone, satisfactorily identified to me, who, being by me first duly

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sworn, did make oath in due form of law that the sale reported in the foregoing Report of Sale was fairly made and that the matters and facts set forth in said Report of Sale are true and correct to the best of her information, knowledge and belief.

WITNESS my hand and Notarial Seal on the date last written.


Notary Public

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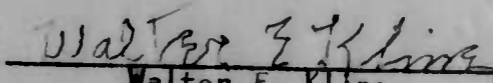
IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

IN THE MATTER OF :
ANNA D. STALLINGS, A :
PERSON ALLEGED TO BE : No. 27540 - EQUITY
UNDER A DISABILITY : Filed September 14th 1965

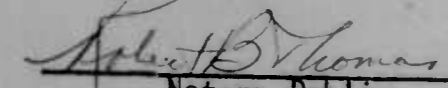
AFFIDAVIT OF PURCHASER

THIS IS TO CERTIFY, That, pursuant to Rule BR 6(3) of the Maryland Rules of Procedure (1961 ed.), on this ___ day of September, 1965, before me, the subscriber, a Notary Public of the State of Maryland, in and for Allegany County, personally appeared Walter E. Kline, satisfactorily identified, and being duly sworn, did make oath that the matters and facts herein concerning the purchase of the interest of Anna D. Stallings in certain property located on Arch Street in Cumberland, Allegany County, Maryland, which said sale was reported to this Court by Virginia M. Rathbone, Committee for Anna D. Stallings, on September 14th, 1965, are true and correct to the best of his information, knowledge and belief;

1. That said purchaser was not acting as agent for anyone.
2. That there are no others interested as principals.
3. That said purchaser has not directly or indirectly discouraged anyone from bidding for the said property.


Walter E. Kline

WITNESS my hand and Notarial Seal on the date above written.


Notary Public

My Commission Expires: July 1, 1967

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

IN THE MATTER OF :
 ANNA D. STALLINGS, A :
 PERSON ALLEGED TO BE : No. 27540 EQUITY
 UNDER A DISABILITY : *Filed September 14th 1965*

ORDER NISI

ORDERED, by the Circuit Court for Allegany County, Maryland, this 14th day of September, 1965, that the sale of the real property mentioned in these proceedings, made and reported by Virginia M. Rathbone, Committee for the property and estate of Anna D. Stallings, an incompetent, be ratified and confirmed unless cause to the contrary be shown on or before the 15th day of October, 1965, provided a copy of this order be inserted in some newspaper published in this County, once in each of three successive weeks, before the 1st day of October, 1965.

The Report of Sale states the total amount of sale of the interest of the incompetent to be \$1900.00.

Joseph E. Boden
 Clerk

No Exceptions filed
 No Cause Shown
 Filed *September 21, 1965*
Joseph E. Boden
 Clerk

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND
 In the matter of Anna D. Stallings, a person alleged to be under a disability, No. 27540 equity.
 ORDER NISI
 ORDERED, by the Circuit Court for Allegany County, Maryland, this 14th day of September, 1965, that the sale of the real property mentioned in these proceedings, made and reported by Virginia M. Rathbone, Committee for the property and estate of Anna D. Stallings, an incompetent, be ratified and confirmed unless cause to the contrary be shown on or before the 15th day of October, 1965, provided a copy of this order be inserted in some newspaper published in this County, once in each of three successive weeks, before the 1st day of October, 1965.
 The Report of Sale states the total amount of sale of the interest of the incompetent to be \$1900.00.
 Joseph E. Boden
 Clerk
 True Copy Test:
 Joseph E. Boden
 Clerk
 Adv. - T. Sept. 17-24 Oct. 1

Filed October 21, 1965 Cumberland, Md. *Oct. 18, 1965*

This is to Certify, That the annexed
Order Nisi

was published in *The Cumberland Times*, a newspaper printed in the City of Cumberland, on the following dates:

September 17-24, October 1, 1965

THE TIMES AND ALLEGANIAN CO., PUBLISHERS
 By *Judith Parkhurst*

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

IN THE MATTER OF :
 ANNA D. STALLINGS, A :
 PERSON ALLEGED TO BE : No. 27540 EQUITY
 UNDER A DISABILITY : *Filed October 21, 1965*

ORDER OF RATIFICATION

This cause having been read and considered, and this Court being of the opinion that the sale herein referred to would be for the benefit and advantage of the Ward, it is hereby this 21st day of October, 1965, by the Circuit Court for Allegany County, Maryland, sitting in Equity,

ADJUDGED, ORDERED AND DECREED, that the sale of the interest of Anna D. Stallings, an incompetent, reported to this Court by the Committee for the property and estate of Anna D. Stallings, be and the same is hereby finally ratified and confirmed.

Harold E. Naughton
 Associate Judge

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND.

IN THE MATTER OF :
 MARGARET P. SHUCK, A :
 PERSON ALLEGED TO BE : NO. 27541 EQUITY
 UNDER DISABILITY : *Filed January 1, 1965*

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Virginia M. Rathbone, by Carscaden, Gilchrist and Getty, her solicitors, respectfully represents:

FIRST: That Margaret P. Shuck, is a white female, 71 years of age, and resides at 417 Arch Street, Cumberland, Maryland, but is presently a patient at Sylvan Retreat, Cumberland, Maryland.

SECOND: That your Petitioner bears no blood relationship to the said Margaret P. Shuck, but that she has, for many years, been a good friend of the said Margaret P. Shuck, and wishes to see that she receives adequate care and treatment.

THIRD: That the said Margaret P. Shuck resides with her sister, Anna D. Stallings at the address aforesaid.

FOURTH: That the only relatives of the said Margaret P. Shuck, to your Petitioner's best knowledge and belief, are Myra V. Kieffer and Mary M. Kieffer, distant cousins, both of whom reside at 11 Valley Street, Cumberland, Maryland.

FIFTH: That the said Margaret P. Shuck suffers from old age and a general physical and mental deterioration, which condition has resulted in her being incompetent to care for her person and/or her property; and that your

Petitioner seeks an adjudication of incompetency in order that the said Margaret P. Shuck may receive proper care and treatment from some responsible person or persons.

SIXTH: That the said Margaret P. Shuck has assets of an approximate value of Five Thousand Dollars (\$5,000.00), and that said assets consist mostly of cash; that to the best knowledge and belief of your Petitioner, the said Margaret P. Shuck has no other assets, but it is possible that other assets may be discovered during the course of these proceedings.

SEVENTH: That the said Margaret P. Shuck is, by reason of her mental incapacity, unable to care for her person or to manage her property and her affairs, and that it is necessary, therefore, for the benefit of the said Margaret P. Shuck and for the preservation of her estate, that some competent person or persons be appointed by this Honorable Court to act as her Committee to care for her person, property and estate.

EIGHTH: That your Petitioner files herewith certificates and affidavits of two practicing medical doctors who have attended the said Margaret P. Shuck within two days before the filing of this Petition, both of whom depose and make oath as to her mental incapacity.

Therefore, your Petitioner prays:

1. That this honorable Court will appoint some suitable person or persons as Committee to take charge of the person and estate of Margaret P. Shuck and to that end will pass an Order directing the alleged incompetent to be summoned within ten days, requiring within the same time, that a copy of the summons, petition; and order of court, to be left with her, or with Kenneth Messmer, Superintendent of Sylvan Retreat, Cumberland, Maryland,

where she is a patient, setting this matter down for a hearing on or after fifteen (15) days from the date of the Order of Court and allowing the alleged incompetent to appear at any time before or after the passage of any decree or order herein.

2. And for such other and further relief as in the nature of her cause may require.

And as in duty bound,

Virginia M. Rathbone
VIRGINIA M. RATHBONE

Carscaden, Gilchrist and Getty

By *J. Frederick Sharer*
J. FREDERICK SHARER,
Solicitors for Petitioner

STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:

I HEREBY CERTIFY, that on this *8th* day of January, 1965, before me, the subscriber, a Notary Public of the State of Maryland, in and for Allegany County, personally appeared Virginia M. Rathbone and acknowledged the foregoing Petition to be true and correct as therein stated to the best of her information, knowledge and belief.

WITNESS my hand and Notarial Seal.

Jayce L. Appel
Notary Public.

LIBER 124 PAGE 31

Cumberland, Maryland.

I, LEWIS BRINGS, do hereby certify that I am a duly qualified medical doctor and have been practicing my profession in Allegany County, Maryland, for more than five years prior hereto and have attended MARGARET P. SHUCK, as recently as the 5 day of January, 1965, and that she is wholly mentally incompetent to look after and manage her person and estate, and that the cause of her mental incompetency is Senile dementia due to arteriosclerosis and that the extent and probable duration thereof is Life time.

Lewis Brings
LEWIS BRINGS, M. D.

STATE OF MARYLAND,
ALLEGANY COUNTY, TO-WIT:

I HEREBY CERTIFY, that on this 7th day of January, 1965, before me, the subscriber, a Notary Public of the State of Maryland, in and for Allegany County, personally appeared LEWIS BRINGS, M. D., and made oath in due form of law that the matters and facts contained in the foregoing Certificate are true and correct to the best of his knowledge and belief.

WITNESS my hand and Notarial Seal the date aforesaid.

Jayce L. Appel
Notary Public.

LIBER 124 PAGE 32

Cumberland, Maryland.

I, R. Rhett Rathbone, do hereby certify that I am a duly qualified medical doctor and have been practicing my profession in Allegany County, Maryland, for more than five years prior hereto and have attended Margaret P. Shuck as recently as the 7th day of January, 1965, and that she is wholly mentally incompetent to look after and manage her person and estate, and that the cause of her mental incompetency is Senile dementia due to brain atherosclerosis and that the extent and probable duration thereof is for life.

R. Rhett Rathbone M. D.

STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:

I HEREBY CERTIFY that on this 7th day of January, 1965, before the undersigned, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared R. Rhett Rathbone, M.D., and acknowledged the foregoing Certificate to be true and correct to the best of his knowledge and belief.

WITNESS my hand and Notarial Seal.

Jayce L. Appel
Notary Public.

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND.

IN THE MATTER OF :
 MARGARET P. SHUCK, A :
 PERSON ALLEGED TO BE : NO. 27541 EQUITY
 UNDER DISABILITY : Filed January 8, 1965

ORDER OF COURT

Upon the foregoing Petition, Affidavit and two medical certificates and affidavits of attending medical doctors which is filed therewith, it is thereupon this 8th day of January, 1965, by the Circuit Court for Allegany County, Maryland, in Equity, ordered that the Clerk of this Court shall issue a summons directed to Margaret P. Shuck, residing at Sylvan Retreat, Cumberland, Maryland, which shall be served on or before the 11th day of January, 1965, commanding her to appear in this Court and answer this Petition on the day and time hereinafter designated for the hearing, and within the same time cause a copy of said summons and of this Petition and Order of Court to be left with Kenneth Messmer, Superintendent of Sylvan Retreat, where the incompetent is residing at the present time.

It is further ordered that a hearing on this Petition shall be held before this Court on the 29th day of January, 1965, at 1:30 o'clock P.M., and that the said Margaret P. Shuck shall be allowed to appear and answer at any time before or after the passage of any Decree herein, and this Court hereby reserves full power to revoke, alter or modify any Decree herein at any time after appearance and answer, for good cause shown.

Harold E. Naughton

(EQUITY SUBPOENA)

No. 27541 Equity

In the Matter of Margaret
 P. Shuck, ~~alleged to be~~ a
 person alleged to be
 under disability

Summons

Margaret P. Shuck
 and Kenneth Messmer
 Superintendent Sylvan
 Retreat, Cumberland, Md.

1-9-65
 Summons by reading summons and
 copy left with each of the defendants.
 and Order of Ct.

William E. Hadden
 2 CSPO Sheriff.

*Kenneth Messmer &
 Margaret P. Shuck 1/9/65*

Fred J. Sharer, Atty.

(EQUITY SUBPOENA)

LIBER 124 PAGE 35

The State of Maryland,

ALLEGANY COUNTY, To Wit:

TO Margaret P. Shuck and Kenneth Messmer Suptdt
Sylvan Retreat
Cumberland, Maryland

(SEAL)

(Here Insert Name and Address of Defendant or Defendants)

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of February next and ending fifteen days thereafter cause your answer or other defense to be filed ~~in the Clerk's Office~~ per ORDER for hearing January 29, 1965 at 1:30 P.M. in Circuit Court for Allegany County, Maryland

(Here Insert Name and Address of Complainant or Complainants)

against you exhibited in the Circuit Court for Allegany County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable D. K. McLaughlin, Chief Judge of the Fourth Judicial Circuit of Maryland, the day of , 19 . Issued the 8th day of January 1965, 19 .

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name Fred J. Sharer

Address Cumberland, Maryland

Joseph E. Boden, Clerk.

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IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND.

IN THE MATTER OF :
MARGARET P. SHUCK :
ALLEGED INCOMPETENT :
EX PARTE. :

NO. 27541 EQUITY

Filed February 1, 1965

DECREE

This cause standing ready for a Decree, it appearing that Margaret P. Shuck has been duly summoned in accordance with an Order passed herein on the 8th day of January, 1965, testimony having been taken in open Court, and the Court having before it the certificates of two qualified medical doctors of Allegany County, Maryland, certifying to the permanent mental incapacity of the said Margaret P. Shuck, the said Margaret P. Shuck not being present although duly summoned in accordance with the provisions of the law, and the Court being of the opinion that the relief prayed for herein should be granted;

It is thereupon this 1st day of February, 1965, by the Circuit Court for Allegany County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED that Margaret P. Shuck is, by reason of mental disability of probable permanent duration, incompetent to manage her affairs and to take charge of her property and estate.

It is FURTHER ADJUDGED, ORDERED and DECREED that Virginia M. Rathbone, be and she is hereby appointed Committee of the estate of the said Margaret P. Shuck with full power and authority to take charge of and to manage all of the Incompetent's property and estate, both real and personal, and that before entering upon her duties as Committee she shall file a bond herein in the amount of Five thousand Dollars with corporate surety to be approved by the Clerk of this Court conditioned

for the faithful performance of the duties imposed upon her.

It is FURTHER ORDERED that the said Margaret P. Shuck shall be allowed to appear and answer at any time before or after the passage of this Decree, and this Court reserves the right and power to revoke, alter or modify this Decree at any time after appearance and answer for good cause shown.

Harold E. Naughton
ASSOCIATE JUDGE

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

PETITION OF COMMITTEE :
IN THE MATTER OF :
MARGARET P. SHUCK, A : No. 27541 EQUITY
PERSON ALLEGED TO BE : *Filed August 26, 1965*
UNDER DISABILITY :
EX PARTE :

PETITION OF COMMITTEE TO SELL
INTEREST IN REAL PROPERTY

The Petition of Virginia M. Rathbone, Committee of the property and estate of Margaret P. Shuck, an incompetent, through J. Frederick Sharer, her attorney, respectfully represents:

FIRST: That among the assets of the said Margaret P. Shuck is a one-half interest as joint tenant in certain real estate which is described as follows:

ALL that lot, piece or parcel of ground located on the Westerly side of Arch Street in the City of Cumberland, Allegany County, Maryland, and known as Lot No. 122 in the South Side Addition to the City of Cumberland, as shown on a plat of said Addition which is recorded in Deeds Liber 70, folio 497, among the Land Records of Allegany County, which said lot is more particularly described as follows:

BEGINNING for the same at the end of the first line of Lot No. 121 of said Addition thence running with the Westerly side of Arch Street South 18 degrees 34 minutes West 40 feet; thence leaving Arch Street North 71 degrees 26 minutes West 100 feet to Flora Alley; thence with said Alley North 18 degrees 34 minutes East 40 feet to the end of the second line of Lot No. 121; thence South 71 degrees 26 minutes East 100 feet to Arch Street and the place of beginning.

IT BEING the same property which was conveyed by A. Marteen Manges, Trustee, to Anna Daisy Stallings and Margaret Pearl Shuck, as joint tenants, by deed dated July 2, 1957, and recorded in Deeds Liber 290, folio 361, among the Land Records of Allegany County.

The above described real estate is improved by a two-story 6-room frame dwelling which is in a poor state of repair.

SECOND: That your Petitioner has had this property appraised by a competent professional realtor, a copy of which said appraisal is attached hereto and made a part hereof.

THIRD: That your Petitioner, through a licensed realtor, has arranged for the sale of said property for the sum of Three Thousand Eight Hundred Dollars (\$3,800.00), and believes that it would be in the best interest of the said Margaret P. Shuck that this property be sold for said amount and that one-half of the net proceeds of said sale be deposited to the account of your Petitioner as Committee for the said Margaret P. Shuck.

FOURTH: That also among the assets of the said Margaret P. Shuck are certain personal items, including household furnishings and a collection of doll babies, which said personal property is located in the home of the said Margaret P. Shuck hereinabove described; that your Petitioner believes it would be in the best interest of the said Margaret P. Shuck that said personal property be sold at public auction for the highest price bid therefor.

WHEREFORE, your Petitioner prays:

1. That this Honorable Court pass an order authorizing and directing your Petitioner to sell said property at private sale; and
2. That this Honorable Court pass an order authorizing and directing your Petitioner to sell at public auction the

personal property of the said Margaret P. Shuck at the highest price bid therefor.

3. For such other and further relief as the nature of her cause may require.

And as in duty bound, etc.

Virginia M. Rathbone
VIRGINIA M. RATHBONE, Committee
for Margaret P. Shuck

J. Frederick Sharer
J. FREDERICK SHARER, Solicitor

STATE OF MARYLAND, ALLEGANY COUNTY, TO-WIT:

THIS IS TO CERTIFY that on this 26th day of August, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Virginia M. Rathbone, and made oath in due form of law that the matters and things in the foregoing Petition are true to the best of her information, knowledge and belief.

WITNESS my hand and Notarial Seal on the date last written.

Eleanor J. Floyd
Notary Public

My Commission Expires 7/1/67

LIBER 124 PAGE 41

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

IN THE MATTER OF :
MARGARET P. SHUCK, A :
PERSON ALLEGED TO BE : No. 27541 EQUITY
UNDER DISABILITY :

STATEMENT OF APPRAISER

I, David P. Goodfellow, a duly licensed realtor and competent appraiser, do hereby certify that I have appraised the real property owned by Margaret P. Shuck and Anna D. Stallings, as joint tenants, situated on the Westerly side of Arch Street in Cumberland, Allegany County, Maryland, known as Lot No. 122 of the South Side Addition, said lot fronting 40 feet on Arch Street and extending back 100 feet to an alley, improved by a two-story frame dwelling, at and for the total current market value of Three Thousand Seven Hundred and Fifty Dollars (\$3,750.00), the said 1/2 interest of Margaret P. Shuck being One Thousand Eight Hundred and Seventy-Five Dollars (\$1,875.00); and I do state and believe that it is in the best interest and welfare of the said Margaret P. Shuck that the proposed sale of said property at and for the sum of Three Thousand Eight Hundred Dollars (\$3,800.00) be accepted.

WITNESS my hand and seal on the 26th day of August, 1965.

WITNESS:

Frederick Shaw David P. Goodfellow (SEAL)
Appraiser

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STATE OF MARYLAND, ALLEGANY COUNTY, TO-WIT:

I HEREBY CERTIFY, That on this 26th day of August, 1965, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared David P. Goodfellow, being duly sworn, did declare that the matters and facts set forth in the foregoing Statement of Appraiser are true and correct to the best of his information, knowledge and belief; and further, he did acknowledge the foregoing Statement of Appraiser to be his act and deed.

WITNESS my hand and Notarial Seal on the date last written.

Edward J. Lloyd
Notary Public

My Commission Expires 7/1/67

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

DECREE :
IN THE MATTER OF :
MARGARET P. SHUCK, A :
PERSON ALLEGED TO BE : No. 27541 EQUITY
UNDER DISABILITY :
EX PARTE :

DECREE

The foregoing Petition, affidavit and verified Statement of Appraiser having been read and considered, and testimony having been taken in open Court and considered, and the Court being of the opinion that sale of the property is in the best interest and welfare of Margaret P. Shuck, an incompetent, it is, by the Circuit Court for Allegany County, Maryland, in Equity,

ADJUDGED, ORDERED AND DECREED, this 26th day of Aug., 1965, that Virginia M. Rathbone, Committee for the property and estate of Margaret P. Shuck, an incompetent, is hereby authorized and directed to sell, at private sale, the one-half interest of said incompetent for not less than \$1900.00, the total current market value thereof according to the appraisal filed in this cause, the real property described in the Petition of Committee to Sell Interest in Real Property filed herein; said sale to be reported to this Court within a reasonable time, subject to ratification by said Court, and upon final ratification of said sale by said Court and receipt in full of the payment for said incompetent's interest, the same being an undivided one-half interest, said Committee is authorized to convey, by good and sufficient deed, said interest of said Margaret P. Shuck in and to said property, it being understood that said Committee shall hold said funds received in payment therefor subject to the Orders of this Court.

IT IS FURTHER ADJUDGED, ORDERED AND DECREED that Virginia M. Rathbone, Committee, is hereby authorized and directed to sell at public auction the personal property and belongings of the said Margaret P. Shuck at the highest price bid therefor.

Harold E. Naughton
Associate Judge

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

IN THE MATTER OF :
 MARGARET P. SHUCK, A :
 PERSON ALLEGED TO BE : No. 27541 EQUITY
 UNDER A DISABILITY : *Filed September 14, 1965*

REPORT OF SALE

The Report of Sale of Virginia M. Rathbone, Committee for the property and estate of Margaret P. Shuck, by J. Frederick Sharer, her attorney, respectfully represents:

FIRST: That pursuant to a petition of the duly appointed said Committee to sell the interest of Margaret P. Shuck, same being a joint tenancy in certain real property on Arch Street, in Cumberland, which with petition, the verified statement of an appraiser was filed herein and testimony of the appraiser and the Committee being taken in open Court concerning the current market value of said property, and of Margaret P. Shuck's interest therein, and as provided by Decree passed August _____, 1965, said Committee was authorized to sell, at private sale, at not less than the appraised current market value thereof.

SECOND: That, upon compliance with all of the requirements of law, said Committee did, on this *14th* day of September, 1965, sell, at private sale, the interest of the said Margaret P. Shuck at and for the sum of \$1900.00 which was more than the current appraised value of the following described property:

ALL that lot, piece or parcel of ground located on the Westerly side of Arch Street in the City of Cumberland, Allegany County, Maryland, and known as Lot No. 122 in the South Side Addition to the City of Cumberland, as shown on a plat of said Addition which is recorded in Deeds Liber 70, folio 497, among

the Land Records of Allegany County, which said lot is more particularly described as follows:

BEGINNING for the same at the end of the first line of Lot No. 121 of said Addition thence running with the Westerly side of Arch Street South 18 degrees 34 minutes West 40 feet; thence leaving Arch Street North 71 degrees 26 minutes West 100 feet to Flora Alley; thence with said Alley North 18 degrees 34 minutes East 40 feet to the end of the second line of Lot No. 121; thence South 71 degrees 26 minutes East 100 feet to Arch Street and the place of beginning.

IT BEING the same property which was conveyed by A. Marteen Manges, Trustee, to Anna Daisy Stallings and Margaret Pearl Shuck, as joint tenants, by deed dated July 2, 1957, and recorded in Deeds Liber 290, folio 361, among the Land Records of Allegany County.

The above described real estate is improved by a two-story 6-room frame dwelling which is in a poor state of repair.

THIRD: That the said Walter E. Kline, purchaser at private sale as aforesaid, stands ready to pay said purchase price of \$1900.00 for said Margaret P. Shuck's one-half interest, upon ratification of this Report of Sale by this Court and upon tender to him thereafter of a good and sufficient deed for said property.

J. Frederick Sharer
 Attorney for Committee

Virginia M. Rathbone
 Virginia M. Rathbone, Committee
 for the property and estate of
 Margaret P. Shuck, incompetent

STATE OF MARYLAND, ALLEGANY COUNTY, TO-WIT:

I HEREBY CERTIFY, That on this *14* day of September, 1965, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Virginia M. Rathbone, satisfactorily identified to me, who, being by me first duly

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sworn, did make oath in due form of law that the sale reported in the foregoing Report of Sale was fairly made and that the matters and facts set forth in said Report of Sale are true and correct to the best of her information, knowledge and belief.

WITNESS my hand and Notarial Seal on the date last written.

Robert B. Thomas
Notary Public

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IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

IN THE MATTER OF :
MARGARET P. SHUCK, A :
PERSON ALLEGED TO BE : No. 27541 EQUITY
UNDER A DISABILITY : Filed September 14th 1965

AFFIDAVIT OF PURCHASER

THIS IS TO CERTIFY, That, pursuant to Rule BR 6(3) of the Maryland Rules of Procedure (1961 ed.), on this ___ day of September, 1965, before me, the subscriber, a Notary Public of the State of Maryland, in and for Allegany County, personally appeared Walter E. Kline, satisfactorily identified, and being duly sworn, did make oath that the matters and facts herein concerning the purchase of the interest of Margaret P. Shuck in certain property located on Arch Street in Cumberland, Allegany County, Maryland, which said sale was reported to this Court by Virginia M. Rathbone, Committee for Margaret P. Shuck, on September 14th, 1965, are true and correct to the best of his information, knowledge and belief;

1. That said purchaser was not acting as agent for anyone.
2. That there are no others interested as principals.
3. That said purchaser has not directly or indirectly discouraged anyone from bidding for the said property.

Walter E. Kline
Walter E. Kline

WITNESS my hand and Notarial Seal on the date above written.

Robert B. Thomas
Notary Public

My Commission Expires: July 1, 1965

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IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

IN THE MATTER OF :
 MARGARET P. SHUCK, A :
 PERSON ALLEGED TO BE : No. 27541 EQUITY
 UNDER A DISABILITY : Filed September 14, 1965

ORDER NISI

ORDERED, by the Circuit Court for Allegany County, Maryland, this 14th day of September, 1965, that the sale of the real property mentioned in these proceedings, made and reported by Virginia M. Rathbone, Committee for the property and estate of Margaret P. Shuck, an incompetent, be ratified and confirmed unless cause to the contrary be shown on or before the 15th day of October, 1965, provided a copy of this order be inserted in some newspaper published in this County, once in each of three successive weeks, before the 8th day of October, 1965.

The Report of Sale states the total amount of sale of the interest of the incompetent to be \$1900.00.

Joseph E. Boden
 Clerk

No Exceptions filed
 No Cause Shown
 Test: *Joseph E. Boden*
 Clerk

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IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:
 In the matter of Margaret P. Shuck, a person alleged to be under a disability, No. 27541 equity.

ORDER NISI
 ORDERED, by the Circuit Court for Allegany County, Maryland, this 14th day of September, 1965, that the sale of the real property mentioned in these proceedings, made and reported by Virginia M. Rathbone, Committee for the property and estate of Margaret P. Shuck, an incompetent, be ratified and confirmed unless cause to the contrary be shown on or before the 15th day of October, 1965, provided a copy of this order be inserted in some newspaper published in this County, once in each of three successive weeks, before the 8th day of October, 1965.
 The Report of Sale states the total amount of sale of the interest of the incompetent to be \$1900.00.
 Joseph E. Boden
 Clerk
 True Copy Test:
 Joseph E. Boden
 Clerk
 Adv. T-September 17-24-Oct. 1

Filed October 21, 1965 Cumberland, Md. Oct. 18, 1965

This is to Certify, That the annexed
Order Nisi LIBER 124 PAGE 50

was published in The Cumberland Times, a newspaper printed in the City of Cumberland, on the following dates:

September 17-24 October 1, 1965

THE TIMES AND ALLEGANIAN CO., PUBLISHERS
 By: *Stadie Berkenlaugh*

Gen. 117 IM 11-62

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND:

IN THE MATTER OF :
 MARGARET P. SHUCK, A :
 PERSON ALLEGED TO BE : No. 27541 EQUITY
 UNDER A DISABILITY : *Filed October 21, 1965*

ORDER OF RATIFICATION

This cause having been read and considered, and this Court being of the opinion that the sale herein referred to would be for the benefit and advantage of the Ward, it is hereby this 21st day of October, 1965, by the Circuit Court for Allegany County, Maryland, sitting in Equity,

ADJUDGED, ORDERED AND DECREED, that the sale of the interest of Margaret P. Shuck, an incompetent, reported to this Court by the Committee for the property and estate of Margaret P. Shuck, be and the same is hereby finally ratified and confirmed.

Harold E. Naughton
 Associate Judge

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND

IN THE MATTER OF V. MARSHALL DAYTON, A PERSON ALLEGED TO BE UNDER DISABILITY : LIBER 124 PAGE 52
 VS. : NO. 28646 EQUITY
 EA PARTE : *Filed January 2, 1968*

PETITION

The Petition of Horace P. Whitworth, Jr., next friend of V. Marshall Dayton, a person alleged to be under disability, respectfully says:

1. That Van Marshall Dayton is a white male person of 78 years of age and unmarried, and has his residence at 213 Vine Street, in Westernport, Maryland.
2. That your Petitioner has been the Attorney for V. Marshall Dayton for many years and is not related to him, but was appointed the Conservator of his property on January 25th, 1966, by this Court.
3. That at the present time the said V. Marshall Dayton is confined to the Pulliam Nursing and Convalescence Home, in Keyser, West Virginia, where he has been since January of 1966, for his care and maintenance.
4. That as far as known to your Petitioner the closest relatives of the said Van Marshall Dayton are as follows: A nephew, Milburn Michael, a nephew, Joseph Michael and a niece, Evelyn Holcomb, all of Cumberland, Maryland.
5. That the said Van Marshall Dayton is suffering from the general infirmities of old age which has affected his mental capacity and his hearing in such manner that he is unable to care for his person ~~at~~ his property in any manner and needs the help of a Trustee for his support and maintenance until death.

6. That the property of the said V. Marshall Dayton consists of two lots known as Nos. 133 and 146 on Hammond's Addition to Westernport, Maryland, as improved by a frame dwelling, Garage and workshop and his household furniture and effects and a Bank Account of approximately Twenty Five Hundred dollars.

7. That your Petitioner is given to understand from the Physicians that V. Marshall Dayton will never improve enough to be able to manage his own affairs and will always be confined to some nursing care until his death. That this present maintenance care costs \$338.00 a month while his present income amounts to only \$169.00 a month so that it becomes necessary to convert his property into cash for his support and maintenance.

To The End Therefore:

That your Petitioner may be appointed the Trustee of V. Marshall Dayton to take charge of and manage his person and the property of Van Marshall Dayton and be authorized to sell his Real Estate and personal property for the future support and maintenance of V. Marshall Dayton and for the payment of all reasonable and just expenses which the said Trustee may have incurred.

And as in duty bound, etc.

Horace F. Whitworth, Jr.
Horace F. Whitworth, Jr., Petitioner
And Next Friend.

STATE OF MARYLAND, COUNTY OF ALLEGANY, TO-WIT:

I hereby certify that on this _____ day of January, 1968, before me, a Notary Public of the State and County aforesaid, personally appeared Horace F. Whitworth, Jr., Petitioner and next friend of Van Marshall Dayton, and made oath in due form of law that the matters and facts alleged in the foregoing petition are true and correct to the best of his knowledge and belief.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Richard D. Whitworth
Notary Public Seal.

My Commission Expires 7-1-69

ORDER OF COURT

UPON the foregoing Petition and affidavit, it is hereby ORDERED this 2nd day of January, 1968, by the Circuit Court for Allegany County, Maryland, that V. Marshall Dayton show cause on or before the 6 day of March, 1968, why the relief prayed in the foregoing Petition should not be granted, provided a copy of the Petition and of this Order be served on the said V. Marshall Dayton by Publication as a non resident.

Harold E. Naughton
JUDGE

DR. J. H. WOLVERTON, JR.
163 E. HAMPSHIRE STREET
PIEDMONT, W. VA.

OFFICE PHONE EL 8-3621

HOME PHONE EL 8-7131

12-25-67

Atty H. P. Whitworth Jr.
Westernport Md

LIBER 124 PAGE 55

Dear Mr. Whitworth

Mr Marshall Dayton has been
under my care for the past 3
years and is now a patient in
the Pulliam Convalescent home.

He has cerebral arteriosclerosis
and generalized arteriosclerosis.

He is totally & permanently
disabled & is mentally incapable
of handling any personal
affairs.

Sincerely,

J. H. Wolverton, Jr. M.D.

H. F. COFFMAN, M. D.
KEYSER, WEST VIRGINIA
PHONE, OFFICE 784-0881 HOME 784-9851
OFFICE HOURS:
TUES., THURS. & FRI. 8:30 TO 4:30
WED. & SAT. 8:30 TO 12
BY APPOINTMENT ONLY

Mr. Marshall Dayton, Keyser, W. Va.
Patient's Name

This is to certify that the above
patient is mentally incapable
of transacting any business due
to cerebral arteriosclerosis.

H. F. Coffman, M. D.
DATE 12-25-67 REG. NO. 7500
REFILL 8-1-3-9 PEN

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND.

IN THE MATTER OF V. MARSHALL
DAYTON, A PERSON ALLEGED
INCOMPETENT BY REASON OF
MENTAL DISABILITY.

LIBER 124 PAGE 56

VS.

NO. 28646 EQUITY

EXPARTE

Filed April 18, 1968

ORDER OF COURT

UPON the testimony taken before this Court and
the Petition and Affidavit, accompanied by certificates of
Physicians, sworn to and subscribed as required by law.

IT IS HEREUPON ORDERED AND DECREED, this 18th
day of April, 1968, by the Circuit Court for Allegany
County, Maryland, that V. Marshall Dayton of Westernport,
Allegany County, Maryland, is incompetent by reason of a
mental disability, and that Horace P. Whitworth Jr. of
Westernport, Allegany County, Maryland, is hereby appointed
and designated his Trustee to take charge of and manage
his property and estate and person, and he is hereby authorized
to expend from said property sufficient cash for the incom-
petent's support and maintenance and administration of his
Trust, and

IT IS FURTHER ORDERED AND DECREED, that in accordance
with the testimony and after appointment of the aforesaid
Trustee as herein designated these proceedings are also to
be considered as an application of the said Trustee for the
sale of the real estate and personal property of the incom-
petent, and therefore the aforesaid Trustee is hereby author-
ized to sell any and all real estate and personal property
of said Incompetent wheresoever located, and give a good
legl deed and evidences of title for the same, by either
public or private sale for the best possible price obtainable
at his discretion, provided a private sale shall not be made

for less than the appraised value of said property as stipulated in the Appraisals made in the testimony of these proceedings before this Court, and all proceeds of such sales and Trust funds, after deducting the expenses of such sales, including a commission to said Trustee of Six Percent, shall be invested by said Trustee in a National Bank of Allegany County, Maryland, for payment of such maintenance and support as may be necessary for said incompetent; provided however, that the aforesaid Trustee shall first file a Bond in the amount of Five thousand Dollars (\$5,000⁰⁰), with the Clerk of this Court before making any sale or acquiring any Trust funds of said incompetent.

Harold E. Naughton
JUDGE

3
TRUSTEE'S SALE OF VALUABLE REAL ESTATE DWELLING GARAGE AND WORKSHOP LOCATED ON THE WEST SIDE OF VINE STREET AND EAST SIDE OF WALNUT STREET IN WESTPORT, MARYLAND, TOGETHER WITH ALL HOUSEHOLD FURNITURE, WORK TOOLS AND EFFECTS LOCATED THEREIN.

UNDER AND BY VIRTUE of an Order of the Circuit Court for Allegany County, Maryland, dated the 18th day of April, 1968, in No. 28646 Equity Proceedings, in the matter of V. Marshall Dayton, Incompetent, the undersigned Trustee will sell at PUBLIC AUCTION at the premises on No. 212 Vine Street, in Westport, Allegany County, Maryland, on

SATURDAY, JUNE 28, 1968
AT 10:30 A. M. DAYLIGHT TIME

all of the right, title and interest of V. Marshall Dayton, Incompetent, to all of the following described Real Estate, located in the Town of Westport, in Allegany County, Maryland, to-wit:
All of those two lots of land known as Lots Numbers One Hundred and Thirty Three (133) and One Hundred and Forty Six (146) as laid out on the Plan of Homestead's Addition to Westport, Maryland, for which parcel of land trustee 28 feet on the West side of Vine Street and extends the same width throughout and extends the same width of Walnut Street, and is the same real estate as conveyed unto the said V. Marshall Dayton, by Louise J. Dayton, by deed dated December 1, 1952, and recorded among the Land Records of Allegany County, Maryland, in Liber No. 265, Page 24.

IMPROVED BY A SEVEN ROOM DWELLING AND BATH, KNOWN AS NO. 212 VINE STREET GARAGE AND WORK SHOP, ALSO ALL WORK TOOLS, HOUSEHOLD FURNITURE AND EFFECTS LOCATED IN AND ON SAID PREMISES.

TERMS OF SALE, REALTY, CASH. One-third to be paid on day of sale, Balance of Sale Price to be paid when Sale finally ratified by Circuit Court for Allegany County, Maryland.

PERSONAL PROPERTY, CASH on day of Sale.

All Taxes to be adjusted to date of Sale.

HORACE P. WHITWORTH, JR.,
TRUSTEE
Attorney at Law
Hibernia National Bank Building
Westport, Maryland
Phone No. 359-0121
Adv. N-June 18-17-24

Gen. 117 1M 7-65

4
ALLEGANY COUNTY, MARYLAND
IN THE CIRCUIT COURT FOR
In the Matter of V. Marshall Dayton
A Person Alleged Incompetent By Reason
Of Mental Disability vs. Estate.

NO. 28646 EQUITY
ORDER NISI ON SALE BY TRUSTEE

ORDERED by the Circuit Court of Allegany County, Maryland, this 2nd day of July, 1968, that the sale of the property mentioned in these proceedings made and reported by Horace P. Whitworth, Trustee, appointed by a Decree of this Court to make said sale, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 5th day of August, next; provided a copy of this Order be inserted in some daily newspaper, printed in Allegany County, once in each of three successive weeks, before the 20th day of July, next. The Report states the amount of the sale to be \$1,100.00, and \$48.38 for personal property.

JOSEPH E. BODEN, Clerk:
True Copy: Test:
Joseph E. Boden, Clerk
Adv. T-July 9-16-23

Gen. 117 1M 7-65

filed July 2, 1968 Cumberland, Md. June 28 19 68

This is to Certify, That the annexed Trustee's Sale #28646
Equity "V. Marshall Dayton, Incompetent"

was published in The Cumberland NEWS, a newspaper printed
in the City of Cumberland, on the following dates:

June 10-17-24 19 68

THE TIMES AND ALLEGANIAN CO., PUBLISHERS

By Imogene M. Hardinger

LIBER 124 PAGE 58

filed August 6, 1968 Cumberland, Md. August 6, 19 68

This is to Certify, That the annexed
Order Nisi - No. 28646 Equity

was published in The Cumberland Times, a newspaper printed
in the City of Cumberland, on the following dates:

July 9, 16, 23, 19 68

THE TIMES AND ALLEGANIAN CO., PUBLISHERS

By Mary Louise Barrett

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND

IN THE MATTER OF V. MARSHALL :
DAYTON, A PERSON ALLEGED : LIBER 124 PAGE 59
INCOMPETENT BY REASON OF :
MENTAL DISABILITY :
VS. : No. 28646 EQUITY
EX PARTE :
: Filed July 2, 1968

TRUSTEE'S REPORT OF PUBLIC SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Horace F. Whitworth, Jr., Trustee, appointed by a Decree of this Court passed in the above entitled cause, dated the 18th day of April, 1968, to make sale of certain Real Estate and Personal Property therein mentioned, respectfully shows:

That after giving Bond with security for the faithful performance of his Trust, and after having complied with all the other prerequisites, as required by law and the said Decree, and giving notice of the time, place, manner and terms of sale by advertisements inserted in the Cumberland Daily News, published in Allegany County, Maryland, for at least three successive weeks before the day of sale, he did, pursuant to said Notice, attend the sale in the premises at 213 Vine Street on the 29th day of June, in the year 1968, at 10:30 A.M. O'clock, then and there proceeded to sell said property in manner following, that is, to say:

Your Trustee offered at Public Sale to the highest bidder the Real Estate mentioned in said Decree, situated in the town of Westernport, Maryland, known as Lots Nos. 133 and 146, on the Flat of Hammond's Addition to Westernport, Maryland, together with the improvements thereon, and your said Trustees sold the above described property to Wilbur T. Wilt and Velma L. Wilt,

LIBER 124 PAGE 60

his wife, for the sum of Fifty One Hundred Dollars (\$5,100.00), they being at that sum the highest bidders therefor, the terms of said sale being One-Third cash on day of Sale and balance of cash on ratification by this Court and delivery of deed. Taxes to be adjusted to day of sale.

Also your Trustee offered all of the personal property located on the premises aforesaid to the highest bidders, and sold said property for a total sum of Six Hundred Thirty Six dollars and Thirty cents (\$636.30).

Respectfully Submitted

Horace F. Whitworth, Jr.
Horace F. Whitworth, Jr., Trustee

STATE OF MARYLAND, COUNTY OF ALLEGANY, TO-WIT:

I HEREBY CERTIFY, That on this 1st day of July, 1968, before me, a Notary Public of the State and County aforesaid, personally appeared Horace F. Whitworth, Jr., Trustee, named in the above Report of Sale and made oath in due form of law that the matters and things stated in the foregoing Report are true to the best of his knowledge and belief, and that the sales therein reported were fairly made.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Richard S. Whitworth
Notary Public Seal.

My Commission Expires 7-1-69

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND

IN THE MATTER OF V. MARSHALL : LIBER 124 PAGE 61
 DAYTON, A PERSON ALLEGED :
 INCOMPETENT BY REASON OF :
 MENTAL DISABILITY :
 VS. : No. 28646 EQUITY
 EXPARTE : Filed July 2, 1968

ORDER NISI ON SALE BY TRUSTEE

ORDERED by the Circuit Court of Allegany County, Maryland, this 1st day of July, 1968, that the sale of the property mentioned in these proceedings made and reported by Horace F. Whitworth, Trustee, appointed by a Decree of this Court to make said sale, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 5th day of August, next; provided a copy of this Order be inserted in same daily newspaper, printed in Allegany County, once in each of three successive weeks, before the 29th day of July next.

The Report states the amount of the sale to be \$5,100.00, and \$636.30 for personal property.

Joseph E. Boden CLERK:

No Exceptions filed up to
 No Cause Shown August 6, 1968
Joseph E. Boden

IN THE CIRCUIT COURT FOR ALLEGANY COUNTY, MARYLAND

IN THE MATTER OF V. MARSHALL :
 DAYTON, A PERSON ALLEGED :
 INCOMPETENT BY REASON OF :
 MENTAL DISABILITY :
 VS. : No. 28646 EQUITY
 EXPARTE : Filed August 6, 1968

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Allegany County, Maryland, this 6th day of August, 1968, that the sale made and reported by the Trustee aforesaid be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in said cause; and the Trustee is allowed the commission of 6% of the proceeds or \$344.18 and the following expenses of said Trustee in preparing the property for the sale, to wit:

| | | |
|---------------------------|-------|----------|
| Ann Smith, Clerk | ----- | \$ 25.00 |
| Frances Dayton | ----- | \$150.00 |
| Stanley Hanna, Auctioneer | ----- | \$ 50.00 |

TOTAL

James F. Greig
 JUDGE